

Albert Hernandez
 Name
18.5 reservation
Reno NV 89502
06-0623
 Prison Number

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Albert Lucas Hernandez JR.)
 Plaintiff,)
 vs.)
Reno Sparks Indian Tribal Council,)
Reno Sparks Tribal Court,)
Reno Sparks Tribal Police,)
 Defendant(s).)

3:07-cv-00023
 CASE NO. ()
 CIVIL RIGHTS COMPLAINT
 PURSUANT TO
 42 U.S.C. § 1983

A. JURISDICTION

- 1) This complaint alleges that the civil rights of Plaintiff, Albert Hernandez,
 (Print Plaintiff's name)
 who presently resides at 18.5 Reservation Road, were
 violated by the actions of the below named individuals which were directed against
 Plaintiff at Reno Sparks Indian Tribal Council on the following dates
 (institution/city where violation occurred)

_____, and _____
 (Count I) (Count II) (Count III)

**Make a copy of this page to provide the below
information if you are naming more than five (5) defendants**

2) Defendant Pere Sparks Indian Tribal Court resides at 98 Colony Road,
(full name of first defendant) (address if first defendant)
and is employed as Pere Sparks Indian Tribal Court. This defendant is sued in his/her
(defendant's position and title, if any)
____ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: violation of amendment I II III IV V VI VII VIII IX X

3) Defendant Pere Sparks Indian Tribal Police resides at 98 Colony Road,
(full name of first defendant) (address if first defendant)
and is employed as Pere Sparks Indian Tribal Police. This defendant is sued in his/her
(defendant's position and title, if any)
____ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: violation of amendments
I II III IV V VI VII VIII IX X

4) Defendant Pere Sparks Indian Housing resides at 98 Colony Road,
(full name of first defendant) (address if first defendant)
and is employed as Pere Sparks Indian Housing. This defendant is sued in his/her
(defendant's position and title, if any)
____ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: violation of amendments
I II III IV V VI VII VIII IX X

5) Defendant _____ resides at _____,
(full name of first defendant) (address if first defendant)
and is employed as _____. This defendant is sued in his/her
(defendant's position and title, if any)
____ individual ____ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: _____

6) Defendant _____ resides at _____,
 (full name of first defendant) (address if first defendant)
 and is employed as _____. This defendant is sued in his/her
 (defendant's position and title, if any)
 ____ individual ____ official capacity. (Check one or both). Explain how this defendant was
 acting
 under color of law: _____

7) Jurisdiction is invoked pursuant to 28 U.S.C. § 1343 (a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional statutes, list them below.

B. NATURE OF THE CASE

1) Briefly state the background of your case.

Amendment right violation Tribal Law violations stolen
 Car was never reported Laughed at By Tribal police
 held in Washoe County jail on empty straw witch was denied
 Being tested By an outside Agency Andstown a result stolen cameras
 By tribal Council under surveillance By the reno Sparks tribal police
 people being pulled over after leaving my residence and told lie about me
 to my family. I am a single father of four children what kind of
 example can I set while being treated like some kind of animal.
 Since the reno Sparks Indian Colony tribal Council has taken
 my house and time with my four children

C. CAUSE OF ACTION

COUNT I

The following civil rights has been violated:

I IV V VI VII VIII IX X

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

I feel my Amendment one through ten have been violated. the amendment have made to be a joke by the Reno Sparks Indian Council. I feel to this day the Reno Sparks Indian Tribal Council continue to make a mockery of the amendments and feel its necessary to violate my civil rights. As an American male, I am a single father of four children. The Reno Sparks Indian Tribal Council stole five night vision cameras from my house. I used the night vision cameras for self protection because I was shot in a drive by which left me in a wheelchair. earlier in the year I had a one bedroom apartment the tribal council felt it was necessary to take from me. The Reno Sparks Indian Tribal Council Relieves run from the federal government for rehab and alternative sentencing. But I received fourteen months in a B1A detention facility, and was never offered alternative sentencing. Because the Tribal Council said they were going to make an example out of me. "I am a single father of four children who was caught in a drive by and is restricted to a wheelchair. help me help the Reno Sparks tribal Council understand they can't break the law by being the law. The Reno Sparks Indian Tribal continues to violate my amendments as well as there own laws

COUNT II

The following civil rights has been violated: _____

I IV VI VII VIII IX X

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

The renaspa tribal police placed me under surveillance advised by the Renaspa's Indian Tribal Council. I was labeled as a trouble maker. At the beginning of 2006 a tribal police man stopped and harassed everybody who stopped by my house to check on me and my children. I was always taught police were there to protect and always answer when called make friends not enemies. But to be honest I was afraid for my life. I called the tribal police on a stolen car that was stolen from 16 reservation road where I lived at the time. I reported the stolen car to officer harto. I told her that a 1994 Mazda MX-3 was stolen from my front yard. I waited from 11 noon to 3:00^{PM} no police responded. I went to the tribal police station I talked to officer Colley and the private investigator "Steven Barrette" the investigator said "you probably deserved to have your car stolen" then laughed and walked away. I don't think my car being stolen is a laughing matter especially from the tribal police. No report was ever made. The tribal police continue to make up their own laws please let them know the police have laws to obey also or the harassment will continue.

COUNT III

The following civil rights has been violated: _____

I IV V VI VII VIII IX X

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

The Seneca Indian tribal Court has violated my rights by Holding me in jail for two months without Bail Reduction Bail was set at 6000 dollars and Remanded at 6,000 dollars. the judge Carolyn Seneca Steel Contrived herself By saying I was a threat to the community By then saying I was a threat to my self the VIIIth Amendment was brought to the tribal Courts attention and also the tribal laws. Each were ignored and Dislike. she continued By saying she wouldnt offer me alternative sentencing which the court receive grants from the federal government for site has to obey laws set By the supreme court and my Amendment rights as a native American male. Carolyn Seneca steel continues to make a mockery of the amendments as well as the tribal laws. this whole "break in the law by being the law" has to brought to your attention or it will continue.

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you filed other actions in state or federal courts involving the same or similar facts as involved in this action? ____ Yes X No. If your answer is "Yes", describe each lawsuit. (If more than one, describe the others on an additional page following the below

outline).

- a) Defendants: _____
- b) Name of court and docket number: _____
- c) Disposition (for example, was the case dismissed , appealed or is it still pending?):

- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

- 2) Have you filed an action in federal court that was **dismissed because it was determined to be frivolous, malicious, or failed to state a claim upon which relief could be granted?**
 ___ Yes ☒ No. If your answer is "Yes", describe each lawsuit. (If you had more than three actions dismissed based on the above reasons, describe the others on an additional page following the below outline.)

Lawsuit #1 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____
- c) The case was dismissed because it was found to be (check one): ___ frivolous
 ___ malicious or ___ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

Lawsuit #2 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____

- c) The case was dismissed because it was found to be (check one): _____ frivolous
 _____ malicious or _____ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

Lawsuit #3 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____
- c) The case was dismissed because it was found to be (check one): _____ frivolous
 _____ malicious or _____ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

- 3) Have you attempted to resolve the dispute stated in this action by seeking relief from the proper administrative officials, e.g., have you exhausted available administrative grievance procedures? ☒ Yes _____ No. If your answer is "No", did you not attempt administrative relief because the dispute involved the validity of a: (1) _____ disciplinary hearing; (2) _____ state or federal court decision; (3) _____ state or federal law or regulation; (4) _____ parole board decision; or (5) _____ other _____.
- If your answer is "Yes", provide the following information. Grievance Number _____
- Date and institution where grievance was filed _____

Response to grievance: _____

E. REQUEST FOR RELIEF

I believe that I am entitled to the following relief:

~~these are my terms and conditions~~ 1) Harassing By the reno
Sparks Indian Colony tribal Council, police and court to be stopped on
me and imbiate family. 2) restraining order against the reno Sparks Indian
tribal Council, police and court. 3) reimbursement for stolen car, Jailtime missed
holiday including halloween, thanks giving, Christmas and new years and most
importantly missed time with son's 3 daughters. 4) All lawyer fees and legal
paperwork expenses etc. - paid. 5) leave all pay back to me discretion to me court.
Stop all telephone recordings and all other recordings etc.

I understand that a false statement or answer to any question in this complaint will
subject me to penalties of perjury. **I DECLARE UNDER PENALTY OF PERJURY
UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE
FOREGOING IS TRUE AND CORRECT.** See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

Albert L. Hernandez
(Name of Person who prepared or helped
prepare this complaint if not Plaintiff)

Albert L. Hernandez
(Signature of Plaintiff)

12-31-06
(Date)

(Additional space if needed; identify what is being continued)